

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**CORR WIRELESS COMMUNICATIONS, L.L.C.
CELLULAR SOUTH, INC., AND
CELLULAR SOUTH LICENSES, LLC**

PLAINTIFFS

vs.

CIVIL ACTION NO. 3:12-cv-00036-SA-SAA

**AT&T, INC., AT&T MOBILITY LLC,
MOTOROLA SOLUTIONS, INC., AND
QUALCOMM INCORPORATED**

DEFENDANTS

**UNOPPOSED MOTION FOR PERMISSION TO FILE COMMON MEMORANDUM
BRIEF IN RESPONSE TO MOTIONS OF AT&T MOBILITY, LLC, QUALCOMM, AND
MOTOROLA, AND TO EXTEND PAGE LIMIT ON MEMORANDUM IN SUPPORT**

Plaintiffs Corr Wireless Communications, L.L.C.; Cellular South, Inc.; and Cellular South Licenses, LLC (collectively “Cellular South”) moves that the Court permit them to file a common memorandum brief in response to the Motions To Dismiss filed by AT&T Mobility, LLC, Qualcomm, and Motorola, [Doc. # 65, 66, 67, 68, 70, 71 and 72], and to extend the page limit for that common memorandum brief.

1. On May 23, 2012, Defendants AT&T Mobility, LLC, Qualcomm, and Motorola each filed motions to dismiss and memoranda in support of those motions.
2. Pursuant to the Court’s Minute Entry Order dated May 15, 2012, each Defendant was permitted to file a memorandum in support of their motion not to exceed thirty-five (35) pages. According to that same order, Plaintiffs will have fifty (50) pages in support of its response to each motion and brief.

3. The motions and memoranda filed by AT&T Mobility, Qualcomm, and Motorola [Docket No. 65, 66, 67, 68, 70, 71, and 72], raise many of the same issues and arguments, including primary jurisdiction of the FCC, and alleged deficiencies relating to the concerted action, exclusive agreements and roaming claims.
4. In order to avoid repetitive briefing that would be required by separate responses to each of the motions, Cellular South seeks to file three responses to each motion, but only one common memorandum brief in opposition to the motions filed by AT&T Mobility, Qualcomm, and Motorola.
5. Cellular South, of course, hopes that, by combining its discussion of these issues into one brief and thus avoiding repetition, its one memorandum brief would be shorter than the sum of three separate briefs. In the prior order of this Court, Cellular South was granted up to 50 pages for its memorandum brief in support of each of the three separate responses. While Cellular South has not yet drafted written its memorandum brief, Cellular South believes in good faith that its combined brief will be substantially less than the pages that would be required were it to file separate briefs. Thus, allowing the common responsive brief would reduce the burden on the Court and eliminate the need to deal with the same issues repetitively.
6. Defendants AT&T and Motorola have consented to Cellular South's request. Defendant Qualcomm has also consented to Cellular South's request, provided Cellular South notifies the Court that Qualcomm reserves the right to request to request additional pages and time to respond once Qualcomm sees Cellular South's brief. Of course, Cellular South will endeavor to cooperate with Qualcomm regarding page limits, but will oppose any requests by Qualcomm for material extensions of time.

7. The combined brief contemplated by this motion will not deal with the separate motion filed by AT&T Inc. on lack of personal jurisdiction [Docket No. 61 and 62]. Cellular South's response to that separate motion and brief in support will comply with the normal page limits already in existence under the local rule.

WHEREFORE, Cellular South prays that it be permitted to file a common memorandum brief in support of its responses to the motions of AT&T Mobility, Qualcomm, and Motorola, and that the page limit for the memorandum in support be extended to a maximum of 150 pages.

May 29, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2012, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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THIS, the 29th day of May, 2012.

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